

CHAPTER 230-ZONING
ARTICLE XIII: PLANNING BOARD

[History: Adopted by the Board of Trustees of the Village of Croton-on-Hudson 12-16-74 by resolution. Amendments noted where applicable.]

General References

Subdivision of land – See Article XII

§230-150. Composition, terms, compensation, vacancies

1. Composition. The Planning Board shall consist of five (5) members to be appointed by the Mayor with the consent of the Board of Trustees. All Planning Board members shall be Croton-on-Hudson residents.
2. Terms. The term of each member shall be five years, with eligibility for reappointment by the mayor with consent of the Board of Trustees. Planning Board terms shall commence with the first day of the official village year. Full terms filled for the first time shall be so fixed for five or less years and arranged so that, to the greatest practicable extent, the expiration of terms will be distributed evenly over the first five years after the initial appointments. If a vacancy shall occur, it shall be filled by appointment as above provided for the unexpired term only. Members shall serve after the expiration of their terms until their successors shall have been appointed and qualified.
3. Compensation. Planning Board members shall serve without salary.
4. Ineligibility. No member of the Village Board of Trustees shall be eligible for membership on the Planning Board. No Planning Board member shall be permitted to act on any matter in which he or she has a direct or indirect personal or financial interest.
5. Vacancy in office. If a vacancy occurs other than by expiration of term, the mayor shall appoint the new member for the unexpired term.

§230-151. Officers, counsel, staff

1. Chairperson. The chair of the Planning Board shall be appointed from among the members by the mayor with the consent of the Board of Trustees.
2. The Planning Board is authorized, by the consent of the Board of Trustees, to employ or contract for experts, staff and services as it deems necessary.

§230-152. Administration and procedure

1. Meetings. The Planning Board shall hold regular meetings at times and places fixed by its rules. Regular meetings shall be scheduled for not less than once a month and shall be open to the public. Notice of meetings shall be announced in a manner reasonably accessible to the public.
2. Voting requirements. All motions and resolutions of the Planning Board shall require the affirmative vote of a majority of all Planning Board members for adoption. Where an action is the subject of a referral to the county planning agency, the voting provisions of §§239-m and 239-n of the General Municipal Law shall apply.
3. Applications for development, hearing on applications. Applications for subdivision and site plan review shall be submitted to the Planning Board in accordance with the regulations set forth in Chapter 200, Subdivision of Land, of Croton's Municipal Code, and Article XI, Site Plan Approval, of Croton's Zoning Code. Hearings on development applications shall be held in accordance with the regulations set forth in Chapter 200, Subdivision of Land, and Article XI, Site Plan Approval.

§230-153. Powers and Duties

1. Subdivision review, Authority to approve plats.

For the purpose of providing for the future growth and development of the village and affording adequate facilities for the housing, transportation, distribution, comfort, convenience, safety, health and welfare of its population, the Board of Trustees of the Village of Croton-on-Hudson, New York, hereby authorizes the Planning Board of the village to approve preliminary and final plats showing lots, blocks and sites, with or without streets or highways, and to approve conditionally preliminary plats,¹⁹ all as defined and set forth in § 7-728 of the Village Law of the State of New York and as regulated by Chapter 200, Subdivision of Land, of the Village Code.

2. Approval of previously filed plats.

For the same purposes and under the same conditions, the Board of Trustees hereby authorizes and empowers the Planning Board to approve the development of plats entirely or partially underdeveloped which have been filed in the office of the Clerk of Westchester County prior to the appointment of the Planning Board and the grant to it of the power to approve plats.

3. Site Plan Approval.

In all cases where site plan approval by the Planning Board is required by Chapter 230, Zoning, the authority for final action on the approval of such site plan is delegated to the Planning Board, and any building or use permit for the development of such land shall only be issued subject to compliance with such approved site plan and any restrictions imposed in relation thereto by the Planning Board, and any certificate of occupancy or compliance shall only be issued subject to continued compliance with such site plan and restrictions imposed in relation thereto by the Planning Board. This resolution is adopted pursuant to Chapter 788 of the 1974 Session Laws of the State of New York²⁰ and is intended to confer upon the Planning Board the full powers authorized by said chapter and to ratify and confirm any conferral of such powers previously given.

4. Architectural Review

To improve the overall visual and built quality in the village, encourage high quality exterior building design, and to encourage buildings that are appropriate in design and scale to the site and surrounding area, the Planning Board is authorized by the Board of Trustees to consider exterior architectural features in its review of site plans for new commercial and office development projects, new single-family and multi-family residential construction, and major residential renovations. The procedure and criteria for architectural review are set forth in Article XI: Site Plan Approval, of this chapter.

5. Special Permits Issued by the Planning Board

a) As per Chapter 120 of the Village Code, the Planning Board is authorized to review for approval the following uses for special permits:

1. Land excavation, tree removal, and stripping of topsoil.
2. Excavation of clay, sand, gravel, soil, or other natural mineral deposits for commercial purposes.

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¹⁹ Editor's Note: see also Article XII, Subdivision of Land.

²⁰ Editors Note: See § 236 of the General Municipal Law.